

ORIGINAL

JUL 22 2009

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

JAMES N. PATTEN, Clerk  
By: *[Signature]* Deputy Clerk

UNITED STATES OF AMERICA,  
*ex rel.* MELISSA SIMS POWELL,  
ANGELA HITCHENS, JOSEPH P.  
PLUMLEY, JR., ED.D. AND  
GLENN W. DOBSON

Plaintiffs,

vs.

AMERICAN INTERCONTINENTAL  
UNIVERSITY, INC., CAREER  
EDUCATION CORP., AND  
JOHN DOE NOS. 1-100

Defendants.

CIVIL ACTION NO.

1:08-CV-2277-GET

**FILED UNDER SEAL**

**ORDER**

The United States having declined to intervene in this action pursuant to the  
False Claims Act, 31 U.S.C. § 3730(b)(4)(B),

IT IS HEREBY ORDERED that:

1. The Complaint filed by relators be unsealed in order that it may be  
served upon the defendants by the relators;
2. All other contents of the Court's file in this action remain under seal  
and not be made public or served upon the defendants, with the exceptions of this  
Order and The Government's Notice of Election to Decline Intervention that has

been filed in this action by the United States of America;

3. Relators shall serve this Order and The Government's Notice of Election to Decline Intervention that has been filed by the United States of America upon defendants, only after service of the relators' Complaint upon defendants;

4. The seal shall be lifted as to all other matters occurring in this action after the date of this Order;

5. Henceforth, relators and defendants shall serve all pleadings, motions or other documents filed in this action, including supporting memoranda, upon the United States, as provided for in 31 U.S.C. § 3730(c)(3), by mailing true copies thereof, by first class mail, to:

Sally Molloy  
Assistant United States Attorney  
Northern District of Georgia  
600 Richard B. Russell Federal Building  
75 Spring St., S.W.  
Suite 600  
Atlanta, GA 30303; and

Jay Majors  
Trial Attorney  
United States Department of Justice  
Civil Division - Commercial Litigation Branch - Civil Frauds  
Patrick Henry Building  
601 D Street, N.W. - Room 9022  
Washington, D.C. 20004;

6. The United States may order any deposition transcripts;

7. The United States is entitled to intervene in this action, for good cause, at any time;
8. The parties shall serve all notices of appeal upon the United States;
9. All orders of this Court shall be sent to the United States; and
10. Should the relators or the defendants propose that this action be dismissed, settled, or otherwise discontinued, the Court will solicit the written consent of the United States before ruling or granting its approval regarding any such proposal.

SO ORDERED, this 27 day of July, 2009.

*for* Wanda D. Evans  
G. Ernest Tidwell  
United States District Judge

Presented by:

Sally B. Molloy  
SALLY B. MOLLOY  
Assistant U.S. Attorney  
Georgia Bar No. 140816